

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

WILLIAM ALFRED,

Plaintiff(s),

v.

SHERIFF DOUGLAS GILLESPIE, et al.,

Defendant(s).

Case No. 2:13-CV-519 JCM (VCF)

ORDER

Presently before the court is plaintiff William Alfred, Jr.'s motion to reconsider. (ECF No. 32). Defendant Las Vegas Metropolitan Police Department filed a response. (ECF No. 33).

On August 6, 2014, the court granted defendant's motion to dismiss with prejudice based on statute of limitations and judgment was entered that same day. (ECF Nos. 30, 31).

More than two years later, plaintiff filed the instant motion seeking reconsideration of the court's August 6th order and judgment. (ECF No. 32).

A motion for reconsideration "should not be granted, absent highly unusual circumstances." *Kona Enters., Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000). "Reconsideration is appropriate if the district court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law." *School Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993); Fed. R. Civ. P. 60(b). "A motion to alter or amend a judgment must be filed no later than 28 days after the entry of the judgment." Fed. R. Civ. P. 59(e).

Plaintiff has not set forth any argument, new evidence, or change in controlling law in support of his motion. Notwithstanding, plaintiff improperly filed the instant motion *pro se*, rather than through his counsel of record, Herbert Sachs, in violation of Local Rule IA 11-6(a), which

1 provides that “once an attorney makes an appearance on behalf of a party, that party may not
2 personally file a document with the court; all filings must thereafter be made by the attorney.” LR
3 IA 11-6(a).

4 In light of the foregoing, plaintiff’s motion to reconsider filed *pro se* will be stricken.

5 Accordingly,

6 IT IS HEREBY ORDERED that plaintiff’s motion to reconsider (ECF No. 32) be, and the
7 same hereby is, STRICKEN from the record.

8 DATED December 8, 2016.

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UNITED STATES DISTRICT JUDGE